

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

Dominic Ali, Petitioner

v.

Warden, Northern New Hampshire  
Correctional Facility,  
Respondent

Docket No.: 1:12-cv-00185-JL

**RESPONDENT'S MOTION TO EXTEND TIME  
UNTIL AUGUST 21, 2013**

The respondent in this case respectfully asks this Court to extend the time for filing the motion for summary judgment in this case by two days, until August 21, 2013. The respondent apologizes to this Court, but offers the following as explanation for the inability to complete the motion:

1. Since filing the answer in this case, the undersigned lawyer has had the following commitments: (a) an oral argument on June 27, 2013, in *State v. Murphy*, Docket No. 2012-0515, in the New Hampshire Supreme Court; (b) a hearing on July 10, 2013, in *Addison v. Warden*, Docket No. 217-2-12-cv-00127, in Hillsborough Superior Court (Northern District); (c) a brief filed on July 30, 2013, in *State v. Perry*, Docket No. 2012-0802; (d) a motion for summary judgment filed on August 6, 2013, in *Hutchinson v. Warden*, Docket No. 1:12-fp-00376-JL in United States District Court for the District of New Hampshire; (e) a hearing on August 9, 2013, in *Roy v. Warden*, Docket No. 217-2012-cv-00380, Merrimack Superior Court; (f) a brief filed on August 13, 2013, in *State*

*v. Hayward*, Docket No. 2012-0886; and (g) a motion for summary judgment in *Mentus v. Warden*, Docket No. 1: 12-fp-447-JD.

2. In addition, the undersigned lawyer will shortly file a 60-page memorandum of law in *Breest v. Warden*, Docket No. 72-S-0789, in Merrimack Superior Court.

3. The undersigned lawyer represents to this Court that the motion for summary judgment is in draft form, but the respondent must address the two final claims raised by the petitioner, as well as to get the exhibits scanned so that they may be filed electronically with this Court.

4. Since the petitioner has continued to file pleadings even after the report and recommendation was issued by this Court, *see e.g.* Doc. 27, 30, 33, 36, 37, and 38,<sup>1</sup> the respondent needs additional time to make sure that all issues are addressed.

5. The undersigned lawyer has another brief due with the New Hampshire Supreme Court in *State v. Beardsley*, n Docket No. 013-0003, on August 20, 2013, so it may not be feasible to get the brief and this motion in final form since both will require the assistance of the same legal assistant.

6. Granting this motion will not result in the continuance of any hearing, conference, or trial.

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<sup>1</sup> “Doc.” refers to this Court’s document number.

WHEREFORE, the respondent respectfully requests that this Court extend the deadline in this case by two days until August 21, 2013.

Respectfully Submitted,

Warden, Northern New Hampshire  
Correctional Facility, Respondent.

By his attorneys,

Joseph A. Foster  
Attorney General

/s/ Elizabeth C. Woodcock

Elizabeth C. Woodcock

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August 19, 2013

**CERTIFICATE OF SERVICE**

I, the undersigned, do hereby certify that I have served the petitioner, who is pro  
se, at the following address:

Dominic S. Ali, #81829, Northern New Hampshire Correctional Facility, 138 East  
Milan Road, Berlin, NH 03570

/s/ Elizabeth C. Woodcock  
Elizabeth C. Woodcock